

RESPONSE TO OFFICE ACTION OF FEBRUARY 8, 2005
U.S. PATENT APPLICATION SERIAL NO. 09/883,509
ATTORNEY DOCKET NO. 53470.003026

REMARKS

The Office Action of February 8, 2005, has been reviewed, and in view of the foregoing amendments and following remarks, reconsideration and allowance of all of the claims pending in the application are respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 7 and 13 currently stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 5,889,958 to Willens (“Willens”). The Office Action alleges that each and every claimed limitation is shown by Willens. Applicants respectfully disagree.

Willens purports to disclose an Internet access system that incorporates an access control subsystem and a remote access server where access by the user to Internet sites is controlled.

Abstract.

According to an embodiment of the claimed inventions, a method for implementing a security filter for regulating access to data associated with a reporting system comprises the steps of “enabling a user to submit a user identification input and a user request to *an on-line analytical processing system*;” “identifying the user based on user identification input;” “retrieving data *associated with the on-line analytical processing system* in accordance with the user request;” “filtering the retrieved data based on at least one security filter associated with the identified user;” and “presenting the data to the user *as a report* through a user interface.”

The disclosure of Willens does not apply to an online-analytical processing (OLAP) system as recited by the amended claims. More specifically, Willens fails to disclose at least the combination of “enabling a user to submit a user identification input and a user request to *an on-line analytical processing system*;” “retrieving data *associated with the on-line analytical*

RESPONSE TO OFFICE ACTION OF FEBRUARY 8, 2005
U.S. PATENT APPLICATION SERIAL NO. 09/883,509
ATTORNEY DOCKET NO. 53470.003026

processing system in accordance with the user request;" and "presenting the data *as a report* to the user through a user interface." Similar limitations are recited in independent claims 7 and 13.

According to Willens, the network access control server 18 maintains a set of user filters 54 which are used to control Internet access for each user. (col. 5, lines 57-60). The filters discussed in Willens apply to determine whether user access to a particular Internet site is allowed. (col. 5, lines 60-65). The disclosure of Willens fails to mention an OLAP system, as recited by the claims.

For a proper rejection under 35 U.S.C. § 102(b), each and every claim limitation must be shown in a single reference. The Office Action has failed to meet this requirement and thus the rejection is unsupported and should be withdrawn. Under 35 U.S.C. § 102, the Patent Office bears the burden of presenting at least a *prima facie* case of anticipation. Anticipation requires that a prior art reference disclose, either expressly or under the principles of inherency, each and every element of the claimed invention. In addition, the prior art reference must sufficiently describe the claimed invention so as to have placed the public in possession of it. In this case, as discussed in detail above, the Office Action has failed to show that Willen discloses each and every claim limitation recited by Applicants. Therefore, the Office Action has failed to meet its burden. The rejection of claims 1, 7 and 13 under 35 U.S.C. § 102(b) should be withdrawn and the claims allowed accordingly.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 2-4, 6, 8-10, 12, 14-16 and 18 are presently rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Willens in view of U.S. Patent No. 6,484,168 to Pennock *et al*

RESPONSE TO OFFICE ACTION OF FEBRUARY 8, 2005
U.S. PATENT APPLICATION SERIAL NO. 09/883,509
ATTORNEY DOCKET NO. 53470.003026

(“Pennock”). Claims 5, 11 and 17 are presently rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Willens in view of U.S. Patent No. 6,182,226 to Reid *et al* (“Reid”).

The Office Action acknowledges that Willens does not disclose all the limitations as recited in the claims. As discussed in detail above Willens fails to show the combination of claim limitations as recited in independent claims 1, 7 and 13.

As discussed above, Willens fails to disclose at least the limitations directed to an on-line analytical processing system and presenting data as a report through an interface. Similarly, neither Pennock nor Reid discloses or teaches the missing limitations of Willens.

The Office Action has failed to set forth a *prima facie* case of obviousness for the claims. Specifically, when a primary reference is missing elements, the law of obviousness requires that the Office set forth some motivation why one of ordinary skill in the art would have been motivated to modify the primary reference in the exact manner proposed. *Ruiz v. A.B. Chance Co.*, 234 F.3d 654, 664 (Fed. Cir. 2000). In other words, there must be some recognition that the primary reference has a problem and that the proposed modification will solve that exact problem. All of this motivation must come from the teachings of the prior art to avoid impermissible hindsight looking back at the time of the invention.

The mere fact that Willens can be modified does not render the resultant modification obvious unless there is a suggestion or motivation found somewhere in the prior art regarding the desirability of the combination or modification. *See* M.P.E.P § 2143.01; *see also In re Mills*, 16 U.S.P.Q.2d 1430, 1432 (Fed. Cir. 1990); *In re Fritz*, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). In addition, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicants’ disclosure. *In re*

RESPONSE TO OFFICE ACTION OF FEBRUARY 8, 2005
U.S. PATENT APPLICATION SERIAL NO. 09/883,509
ATTORNEY DOCKET NO. 53470.003026

Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

In *In re Hedges*, 783, F.2d 1038, 1041, 228 U.S.P.Q. 685, 687, (Fed. Cir. 1986), the U.S. Court of Appeals for the Federal Circuit stated that “the prior art as a whole must be considered. The teachings are to be viewed as they would have been viewed by one of ordinary skill.” The court also stated that “[i]t is impermissible within the framework of section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art” (quoting *In re Wesslau*, 353 F.2d 238, 241, 147 U.S.P.Q. 391, 393 (CCPA, 1965)). Accordingly, the Office has failed to provide any proper motivation for modifying Willens, so the proposed modification fails. Even if Willens could be modified as suggested by the Office Action, the resulting combination would nevertheless fail to show each and every limitation claimed by Applicants.

Therefore, the proposed combination of Willens and Pennock and the combination of Willens and Reid fail to show, teach or make obvious the invention as claimed by Applicants. The Office Action has failed to provide proper motivation for modifying the Willens reference. Even if the Willens reference could be modified as suggested by the Office Action, the resulting combination would fail to disclose the combination of claimed limitations. Therefore, the Office Action has failed to meet its burden. The rejection of claims 1-20 should be withdrawn and the claims allowed accordingly.

Dependent claims 2-6, 8-12, 14-18 depend from either independent claims 1, 7 and 13, respectively. As such, each of these dependent claims contain each of the features recited in the independent claims. For the reasons stated above, Willens alone or in combination with Pennock

**RESPONSE TO OFFICE ACTION OF FEBRUARY 8, 2005
U.S. PATENT APPLICATION SERIAL NO. 09/883,509
ATTORNEY DOCKET NO. 53470.003026**

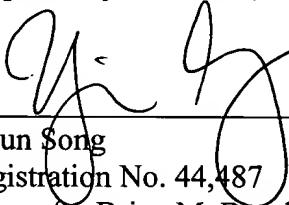
or Reid fail to disclose the claimed inventions and the rejections should be withdrawn.

CONCLUSION

It is respectfully submitted that this application and all pending claims are in condition for allowance and such disposition is earnestly solicited. If the Examiner believes that prosecution and allowance of the application will be expedited through an interview, whether personal or telephonic, the Examiner is invited to telephone the undersigned with any suggestions leading to the favorable disposition of the application.

The Director is hereby authorized to treat any current or future reply, requiring a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. Applicants also authorize the Director to credit any differences or overpayment of fees to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,



Yisun Song
Registration No. 44,487
for Brian M. Buroker
Registration No. 39,125

Hunton & Williams LLP
1900 K Street, NW
Washington, D.C. 20006-1109
(202) 955-1500 (phone)
(202) 778-2201 (facsimile)

Date: July 8, 2005